

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**Ann R. Rupli**

**Case No. 8:11-cv-00287-RWT**

**Plaintiff**

vs.

**JOINT MOTION FOR DISMISAL OF  
AMERICAN HOME MORTGAGE  
CORPORATION WITH PREJUDICE**

**American Home Mortgage  
Corporation, et al.**

**Defendants**

Plaintiff and American Home Mortgage Corporation, acting through counsel, respectfully approach the Court and submit this Joint Motion for Dismissal of American Home Mortgage Corporation with prejudice. For good cause, Plaintiff and American Home Mortgage have mutually agreed that American Home Mortgage Corporation is now in bankruptcy and unable to provide any of the relief sought by Plaintiff in her Complaint. An Agreement between Plaintiff and American Home Mortgage Corporation providing the factual basis for this dismissal with prejudice is hereby incorporated by reference into this motion as if it were reproduced and inserted here. A Memorandum in Support and a Suggested Order are also attached.

Respectfully Submitted,

/s/ Norman L. Sirak

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/s/ Dan Rupli

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Acknowledge and Consent  
Hahn & Hessen, LLP

/s/ Edward L. Schnitzer

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### **Memorandum in Support**

A filing titled *Suggestion of Bankruptcy* has been submitted by the law firm of Hahn & Hessen LLP of New York City, New York. The Hahn & Hessen law firm serves as Counsel for Steven D. Sass, Plan Trustee for the “Plan Trust” established pursuant to the *Amended Chapter 11 Plan of Liquidation of the Debtors Dated as of February 18, 2009* (i.e. the “Plan”) in connection with the Chapter 11 cases of American Home Mortgage Holdings, Inc. and its affiliates, acting through its counsel Hahn & Hessen LLP, and hereafter referred to as the *Counsel for the Plan Trustee*. This bankruptcy is being administered by the U.S. Bankruptcy Court for the District of Delaware. The Counsel for the Plan Trustee’s *Suggestion of Bankruptcy* has cited an injunction issued by the Bankruptcy Court directed against past customers such as Plaintiff. In accord with this injunction, Counsel for the Plan Trustee seeks dismissal of Plaintiff’s claim.

Plaintiff and Counsel for the Plan Trustee have engaged in discussions for submitting a mutually agreed upon dismissal entry. As a result of these discussions, a joint motion has been agreed upon. The attached *Agreement*, Plaintiff’s Exhibit A, sets forth mutually agreed upon terms for this dismissal. Both parties further request that this *Agreement* [i.e. Plaintiff’s Exhibit A] be incorporated by reference into the Judgment Entry and that these findings be adopted as the findings of this Court.

Accordingly, Plaintiff and Counsel for the Plan Trustee, acting on behalf of Plan Trustee Steven D. Sass, referenced in this lawsuit as *Defendant American Home Mortgage Corporation*, hereby submit this Motion to (1) acknowledge and incorporate their attached Agreement and request that these findings be adopted as findings of this Court and (2) grant this joint motion to dismiss American Home Mortgage Corporation from this proceeding with prejudice.

Respectfully Submitted by,

/s/ Norman L. Sirak

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/s/ Edward L. Schnitzer

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